

FURNACE ASSOCIATES, INC.
APPLICANT'S STATEMENT
SPECIAL EXCEPTION AMENDMENT SEA 80-L/V-061-2
Revised July ~~14~~18, 2014

Pursuant to Sections 3-104, 9-201, 9-301 and 9-501 of the Zoning Ordinance, Furnace Associates, Inc. (alternatively, "**Furnace**" or the "**Applicant**") requests Fairfax County Board of Supervisors' (the "**Board**") approval to amend Special Exception Amendment SEA 80-L/V-061 ("**SEA-1**") on Fairfax County Tax Map Parcels 113-1-((1))-5(pt.), -7 and -8, and 113-3-((1))-1, -2 and -4 (the "**Property**" or "**Application Property**") to (i) establish renewable energy electric generation facilities including solar, geothermal infrastructure and methane gas collection systems as "interim uses" to further the County's "Green Energy Triangle" initiative; (ii) extend the useful life of the existing construction debris landfill to continue land filling activities until December 31, 2025; (iii) remove the previously-approved public park uses and facilities and the dedication requirement rescinded by the Fairfax County Park Authority Board (Park Authority Board and Staff collectively "**FCPA**") in March 2009; and (iv) entitle three alternative private, limited-access active recreation "end uses." The Applicant has submitted proposed development conditions dated July 14, 2014 ("**Development Conditions**").

The approximately 250-acre Property, zoned R-1, is occupied by a Construction Demolition Debris ("**CDD**") landfill which is classified as a "Category 2" Special Exception ("**SE**") use. A CDD landfill has been operated on the property since at least the 1970s, and ultimately in accordance with SE 80-L/V-061, approved on November 16, 1981 and amended by the Board in SEA-1 on January 8, 2007, subject to 56 development conditions. The landfill is inspected at least quarterly by the Virginia Department of Environmental Quality ("**DEQ**"). CDD landfills accept inert materials, such as concrete, rock, asphalt and glass, as well as scrap lumber, drywall, trees, brush, and other debris from construction sites and land clearing activities, as approved in the Property's DEQ waste permit. While no landfill may be permitted by DEQ without local government land use approval, no landfill use may be established without DEQ engineering review, approval, bonding requirements, operational limitations, environmental, monetary and reporting requirements, inspections and enforcement. No owner/operator of a DEQ permitted landfill can be released from its operational, maintenance, and monetary obligations until DEQ is satisfied, after typically ten (10) years of post-closure monitoring and inspections, that the landfill has completed settlement satisfactorily, the landfill cap is intact, and there is no existent environmental degradation or any indication thereof.

The Application Property generally is located between Interstate 95 and Furnace Road, south of Lorton Road and east of the County landfill, incinerator, and the Landfill Energy Systems ("**LES**") facility (formerly known as Michigan Co-Generation Systems, Inc.). In conjunction with this amendment application SEA 80-L/V-061-2 ("**SEA-2**"), Furnace has submitted a proposed, revised Plat dated March 22, 2013, as revised through July ~~14~~18, 2014, consisting of 47 sheets and prepared by BC Consultants ("**SEA-2 Plat**").

Each submission of SEA-2 has reflected substantial revisions in response to Board, Staff and community input. The July ~~14~~18, 2014 SEA-2 Plat and revised Development Conditions reflect (i) a closure date of December 31, 2025; (ii) deletion of all wind turbines; (iii) continued provision of three of the four renewable energy features; (iv) sharing of these energies or

revenues therefrom with the County; (v) expanded commitment to CDD recycling through withdrawal of PCA 2000-MV-034, retention of the Mixed Waste Reclamation Facility ("MWRF") and restriction of truck access to it; and (vi) reduction of the proposed berm to an overall average height of 22 feet, ranging from a high of 25 feet to a low no greater than 17 feet, and to an average height no greater than 20 feet along Furnace Road. This revised SEA-2 is consistent with the spirit, intent and specifics of the Board's June 17, 2014 "Potential Framework."

The Applicant also owns two tracts adjacent to the Property which never have been used for landfilling, approximately 9 acres and 17 acres in size, respectively, and located on the west side of Furnace Road outside the boundaries of the Application Property. Furnace had proposed to construct and dedicate passive public recreation uses on the 17-acre, R-1 zoned tract (Tax Map Parcel 113-1-((1))-5(pt.)) which is part of the landfill Tax Map Parcel but the Fairfax County Park Authority (FCPA) was not interested. Furnace is now proposing to continue its already-entitled mixed waste reclamation use on Furnace's adjacent I-6 zoned tract (Tax Map Parcels 113-1-((1))-12, -13) (the "**PCA Property**") and to withdraw the pending Proffered Condition Amendment ("PCA") Application.

Two 2232 Applications also were filed with the Department of Planning Zoning for the wind turbine and solar panel electric generating facilities on the SEA-2 Property and the solar panels on the PCA Property. On April 3, 2014, the Planning Commission determined that the proposed solar and wind electrical generating facilities satisfy the location, character and extent criteria in Section 15.2-2232 of the Code of Virginia, as amended. The proposed wind turbines subsequently were eliminated from the SEA-2 Application. The solar panels are now being eliminated from the PCA Property.

SEA-1 permits excavation, grading and filling associated with a CDD landfill, subject to 56 Development Conditions. SEA-1 Condition #12 limits the height of the landfill, prior to the installation of final cover, vegetation and structures, to a final waste fill elevation of 412 feet above sea level, and requires cessation of landfill operations on or before January 1, 2019 or upon reaching maximum height of fill, whichever occurs first. SEA-1 allowed quasi-public park uses on the Property and required its dedication to the FCPA after completion of post-closure monitoring by DEQ. Subsequent to imposition of these conditions by both the FCPA and the Board, in March 2009, the FCPA determined that it would not accept the future dedication of "Overlook Ridge." FCPA's reversal negated the underlying understanding of all three parties that the public park use would be owned and operated by the FCPA and that the liability associated with public access for recreational purposes would be the FCPA's.

In SEA-2, the Applicant seeks approval to add a vegetated berm that will have a varying height based on varying topography, with a low no greater than 17 feet and a maximum of 25 feet, and an overall average height of 22 feet, in order to develop a near-level approximately 20-acre top elevation area by filling between the existing slope and that berm, and to extend the landfill's useful life to December 31, 2025. The Applicant also is requesting approval of and committing to create renewable energy through solar and methane recovery infrastructure and equipment (plus heat and cooling capability through geothermal facilities), and to establish 1.0 MWpk of solar energy in Phase 5, post-closure.

In addition, after significant outreach with representatives of the Lorton Valley Homeowners Association located adjacent on the north to the Application Property, Furnace has committed to provide a recreation facility for use solely by Lorton Valley residents, to be conveyed to their HOA. This approximately 5.2-acre park and facilities would be provided as determined solely by the Lorton Valley HOA. Given the limited open space available within Lorton Valley, this park would provide a desirable, permanent amenity to Association residents within walking distance of their homes. As an option, the HOA may choose to accept the five-acre land area only, without any improvements. In either event this 5.2-acre area would be subject to a restriction in the form of a "conservation easement" stating that no trees could be removed, except dead or dying trees, as determined by the Urban Forestry Management Division ("UFMD"). Should Lorton Valley elect to decline these facilities or conveyance of the land, the approximately 5.2-acre area shall remain in undisturbed open space.

SEA-2 complies with the "General Standards" for all SE uses and with the "Additional Standards for the Category 2, 3 and 5 Uses" being requested.

A. Type of Operation.

The Applicant proposes continuation of the existing CDD landfill activities over a phased plan of development that includes an extensive landscape planting program, as proposed on SEA-2 Plat Sheets 16 through 25, to be implemented both during Phases and after cessation of landfill operations. The new, proposed interim and ultimate landscape planting designs will establish an attractive buffer with a forested appearance. The extensive amount of landscape plantings currently provided on the slopes of the landfill, as well as the additional landscaping proposed over five phases in SEA-2, has presented a unique challenge to establish and maintain. UFMD has been working closely with the Applicant's Arborist regarding adjustments to planting types and design as reflected in this SEA-2 Application, incorporating lessons learned over the past several years to determine which trees and shrubs have the highest survivability rate. These principles are being used to maximize the creation of tree canopy and greening of the landfill. Maintaining the health and survivability of the extensive amount of vegetation is in the best interest of all parties. The amount of planting proposed is unprecedented for a landfill, which is not conducive for landscaping due its size, steep slopes, wind impacts and deer.

This proposed extension of the only CDD landfill in the region with a significant remaining useful life, to a closure date of December 31, 2025, is consistent with and fulfills the goals set forth in the Fairfax County Solid Waste Management Plan ("SWMP"). The SWMP identifies a significant shortfall in landfill capacity for CDD generated in the County; specifically, the SWMP cites a need for 18 to 21 million tons of disposal capacity through 2024 (the end of its study period). The SWMP recommends the projected shortfall be addressed through continued use/expansion of local landfills and/or encouraging a regional approach to CDD disposal. The Applicant's projection is confirmed by Joyce Doughty, Assistant Director of the SWMP, who in her memorandum to ZED Staff dated November 6, 2013, states that, "In general terms, the benefit of continued operation of the Lorton Landfill would be assured CDD disposal capacity . . . , offsetting the need for longer transport of up to 400,000 tons per year of material." A corrected June 2014 DPWES assessment projects an approximately 600,000 tons per year County capacity demand based upon ESI's 2013 tonnage, and the SWMP Table 7-5 at page 7-6 projects in excess of 900,000 tons per year County capacity demand by 2018. There

were two other CDD landfills in the County. One of these has closed since filing of this SEA-2. The other site's capacity is practically exhausted. Standing alone, it could handle the CDD demand from the County for less than one year. Long-term CDD disposal capacity is critical to the economic vitality, economic development, and revitalization goals of the County. The continued availability of Applicant's landfill is crucial to solving the County's anticipated near-term exhaustion of CDD capacity. In addition, Furnace Associates will withdraw its pending PCA Application and expand CDD recycling operations at the mixed waste reclamation facility ("MWRF") on the I-6 zoned land across the street. Right- and left-turn lanes currently exist on Furnace Road at the entrance to the MWRF. The applicant's engineering consultants do not expect VDOT will allow any entrance modifications which physically restrict access in and out of the MWRF, such as concrete islands, gates, etc. If VDOT were to approve physical access modifications, the applicant will implement them. The applicant will implement a written policy with all commercial customers accessing this facility in which they acknowledge and agree not to enter or exit the facility from and to the north. Said agreement will state that repeat offenses will result in banishment from use of the facility. Signs will be posted that prohibit left-hand turns out and right-hand turns into the facility for all commercial truck traffic. Further, the applicant will install a video monitoring system which will record commercial vehicles accessing the facility (both entering and exiting) and which will be routinely monitored by staff who will enforce the truck access restriction during operating hours. The only exception to the prohibition on commercial truck left-hand turns out and right-hand turns in will be solely for the applicant's trucks traveling between the MWRF and the landfill entrances.

The Applicant proposes to create a vegetated berm around the perimeter of the landfill and to fill the space between this berm and the existing side slope to develop the landfill's capacity over five, overlapping phases of operation. The berm is proposed for an overall average height of 22 feet with the lowest height along the western (Furnace Road) side being no greater than 17 feet; it would not be visible to any residential units or streets, and it necessarily would be uneven due to uneven topography and a drop of 80 feet from Furnace Road to the I-95 east side.. Reinforcement material, consisting of a geo-synthetic such as a "geo-grid" (commonly high density polyethylene which is the same material used in landfill liners), would be laid horizontally, adding strength and stability to the berm and requiring less earth material within a smaller footprint than a comparable earth-only berm. Facing materials also would include a geo-synthetic and be designed to promote vegetative growth. The vegetated berm and ground-level and upper-level access roads would be completed over five phases as depicted on SEA-2 Plat Sheets 6 through 13. The Applicant also requests approval to add a southern "Right-In Only" access point, which would improve on-site queuing, filling and circulation patterns. As depicted on the Landscape Plans (SEA-2 Plat Sheets 16 through 23), nearly 8,787 trees would be planted on primary and intermediate benches, mostly on the northern and eastern slopes of the landfill, with some on the western slope, by the completion of Phase 5. This would result in 4,276 more trees being planted on the landfill in SEA-2 than approved in SEA-1.

Instead of becoming merely a "closed landfill," this proposal creates a unique opportunity for renewable, green energy-producing facilities that functionally relate to the surrounding County infrastructure and provide environmental sustainability and economic benefits to the County. The Applicant proposes to locate a renewable or "Green Energy Park" on the landfill in accordance with the recommendations of the County's Energy Task Force (renamed the "Energy

Alliance Task Force") and the broader, long-term sustainable energy goals established by the Board. One recommended goal of the Task Force was to establish a "Green Energy Triangle" as a transformational energy project in Lorton. In addition to installing and operating geothermal and methane recovery facilities, the SEA-2 Plat provides in Phase 5 a near-level top (enabled by the vegetated berm) of approximately 20 acres for a 1.0 MWpk solar farm ("**Full GEP**"), which shall be provided by the Applicant/Owner after landfill closure. The Applicant shall share 50% of any revenues in excess of 2.5 cents per kilowatt hour received from the sale of electricity produced by these solar facilities.

The Applicant also will install a methane gas recovery system within the landfill and will deliver to the County methane sufficient to generate the equivalent of one million kilowatt hours annually of electricity (until the earliest of cessation of landfilling activities, or December 31, 2025, or until this landfill generates less than 100 Standard Cubic Feet per Minute [SCFM] of methane gas), with the intent that it will be used by the County to generate electricity sufficient (i) for the normal operating needs of County-owned facilities such as the former Lorton Workhouse site ("**Workhouse Arts Center**"), thereby reducing the financial burdens for that facility, or (ii) for use at some other County facility. Applicant will pay the cost of processing the methane gas so that it is suitable for combustion by industry standard co-generation infrastructure.

"Overlook Ridge," which was requested by the Applicant and the FCPA, and approved by the Board in January 2007, is proposed to be eliminated in this SEA-2 Application to reflect the FCPA's decision in March 2009 to reject dedication of the landfill site by ESI to the FCPA. SEA-2 continues to provide for open space and recreation facilities, but to be constructed in the north side buffer zone (which would be accessed from a trail connection to Lorton Valley) if requested by the Lorton Valley HOA.

A dustless surface waiver has been requested to provide access to this use, both for the initial gravel access road during Phases 1 through 4 and the subsequent gravel access proposed to be provided in Phase 5 through the post-closure period.

This CDD landfill currently accepts select volumes of dredged soils from lakes, ponds, and storm water management facilities in the County that are either publicly or privately maintained. (Certain of these dredged soils are accepted by the landfill for free, which saves the County significant costs.) Over time, such facilities accumulate sediment which, if not removed, will severely reduce their ability to function effectively, resulting in a serious threat to County and regional water quality and storm water capacity. Extending the closure date to 2025 will provide a long-term outlet for dredged soils produced in the County, a critical environmental need since there are no dredged soil treatment facilities in the County or the region.

This SEA-2 has evolved over the course of 24 months of extensive discussion and negotiation with the South County Federation Land Use Committee ("**LUC**") pursuing an alternative to the pre-empted Overlook Ridge, and simultaneous outreach with other community and countywide stakeholders. The Applicant committed to development of a Green Energy Park ("**GEP**") with four robust re-usable energy components – wind, solar, methane, and geo-thermal – plus certain additional revenue-generated contribution commitments. The LUC discussions came to a halt in late May 2012 despite leadership representations of support up to that time. At

the Countywide level, a recommendation by the County Energy Task Force resulted in Board adoption of a Green Energy Triangle concept¹ for the immediate landfill area and commitments to establishment of a national model for the location of substantial green energy infrastructure components on public and private land in that area.

Applicant's commitment to the LUC had been to the provision of the GEP infrastructure and other proposed amenities, some of it up front and the remainder through 2040, the proposed operational life of its landfill needed to support such an enormous expenditure. In late November 2012, the LUC requested that Applicant instead fund a Recreation Center at a cost, according to FCPA, of \$50M (including debt service through 2040). The Applicant responded with a proposal to provide a significant but revised GEP infrastructure "up front," and payment of an additional \$15M over time towards a specified community need.

The SEA-2 Application proposes to implement a key component of the February 5, 2013 County Staff Report to the Board Environmental Committee recommending development of the Green Energy Triangle in Lorton. A key objective in this County staff recommendation, as noted in the Task Force report, is to rebrand the Lorton area. The Applicant's proposal further manifests the County Executive's FY 2014 report to the Board, which specifically cites the Green Energy Triangle as "leading to a re-branding of the Lorton area, changing its identity from being a site of the County's waste and debris disposal facilities to becoming a tangible expression of the County's renewable commitment". The Applicant's renewable energy program is a direct result of the work of the Task Force, the Board's Environmental Committee, and other Board policies.

The approval of SEA-2 would (i) avoid the increased truck traffic caused by the closure of the landfill that results from the need to transport all CDD out of the County to remote landfills; (ii) avoid the impact of unrecovered methane gas generated by both the Applicant's landfill and by the additional waste that will be transported to other CDD landfills in Virginia (which are not required to capture methane gas); and (iii) produce offsets to energy produced by fossil fuels due to the impact of energy produced by the solar facilities. The combined benefit of the Application to the environment is a significant avoidance of greenhouse gases which directly addresses the objectives called for in the County's adoption of the "Cool Counties" initiative.

In its "2013 Annual Report on the Environment" dated November 2013, the County's Environmental Quality Council ("**EQAC**") identifies key ways to reduce greenhouse gas emissions, including landfill gas to energy systems (pages 11-17)). In praising the work on a "Lorton Green Energy Triangle," the 2013 EQAC report states, "These cooperative planning efforts to make more efficient use of existing energy sources and to create renewable energy within the county is commendable" (page 31-32). EQAC commends the County for recognizing the importance of reducing greenhouse gas emissions and promoting education and outreach programs (page 34). EQAC states on page 35 that it "strongly supports the continuation of work

¹ In a Motion on October 16, 2012, the Board enthusiastically and unanimously endorsed the Chairman's "Private Sector Green Energy Task Force" recommendations, stating a purpose of "*stimulating a transformational energy project*" and creating "*with the private sector, pilot projects to demonstrate the use of local alternative energy sources for small and large scale development. These projects should: a) Not require legislative changes, nor changes to county policy; b) Be revenue neutral for the county of have the potential for revenue generation and c) Could be initiated within 24 months. The Lorton Green Energy Triangle is a potential example.*"

started by the Chair's Energy Task Force be continued through the Energy Alliance." This SEA-2 Application fulfills all of those goals.

As committed in the Applicant's Proposed Development Conditions, the Applicant will construct, beginning in Phase I, methane and geothermal infrastructure on the landfill; provide methane gas to the County for County-owned facilities (such as the Workhouse Arts Center and/or the Norman Cole Water Pollution Control Plant), over the operational life of the landfill, enabling the County to reduce its energy costs; and donate to the County 50% of the revenue, in excess of 2.5 cents per Kilowatt-hour, resulting from sale of electricity generated by the proposed solar infrastructures. In addition to the revenue opportunity for the County from the sale of renewable energy, another long-term benefit is that the Applicant's green energy park will serve as a cornerstone in the rebranding of the of the Lorton area as one of the most progressive communities in the region, if not in the nation.

As requested by the Planning Staff, Phase 5 of the SEA-2 (SEA-2 Plat Sheets 10 through 14) were revised to add the potential for a Category 5 "outdoor baseball hitting range" use after landfill operations have ceased, beginning after DEQ Release. This active recreation use during the end of Phase 5 could be established before or coterminous with the solar panels in Phase 5 and be operated by a lessee who would assume liability for private use on the landfill.

Phase 6 (SEA-2 Plat Sheet 47) seeks approval of alternative private active recreation uses which will consist of either a Category 5 outdoor baseball hitting range and/or private golf driving range and/or a Category 3 model aircraft field, or similar private club or benefit association uses. One, two or three of these uses would operate either: (a) subsequent to cessation of the "interim" Green Energy Program, or (b) upon release of the Applicant by DEQ from post-closure monitoring and maintenance of the landfill. The lessees would assume liability for private use on and access to the closed landfill property.

B. Hours of Operation.

Landfill Operations (Phases 1 – 5):

Monday through Friday 7:00 a.m. to 5:30 p.m. and Saturday 7:00 a.m. to 3:00 p.m., with continuation of certain limited exceptions as currently permitted under the SEA-1 Development Condition #27.

Outdoor Baseball Hitting Range (Phases 5/6):

April 1 to October 31: 4:00 PM – 10:00 PM Monday – Friday
10:00 AM – 10:00 PM Saturday & Sunday

Golf Driving Range (Phase 6):

All year round: 10:00 AM – 10:00 PM Sunday – Saturday

Model Airplane Flying Field - Private Club or Benefit Association (Phase 6):

April 1 to October 31: 9:00 AM – 8:00 PM Monday – Sunday
November 1 to March 31: 9:00 AM – 5:00 PM Monday – Sunday

C. Estimated Number of Patrons.

Landfill (Phases 1 – 5):

No change from current and prior experience. The number of patrons varies with weather conditions, time of year and the prevailing economy, which directly impact regional development activity and the amount of construction debris to be disposed.

Outdoor Baseball Hitting Range (Phase 5 end and possibly continuing and expanding in Phase 6): 125 patrons.

Golf Driving Range (Phase 6): 170 patrons.

Private Club or Benefit Association (Phase 6): 21 patrons.

There is little expectation all three recreational uses will exist simultaneously.

D. Proposed Number of Employees.

Landfill (Phases 1 – 5):

It is anticipated that there will be approximately 17 full-time equivalent employees and 17 contract employees working at the landfill during the operations time period.

Outdoor Baseball Hitting Range (Phase 5 end and possibly continuing and expanding in Phase 6): Two full-time equivalent.

Golf Driving Range (Phase 6): Two full-time equivalent.

Private Club or Benefit Association (Phase 6): One full-time equivalent.

There is little expectation all three recreational uses will exist simultaneously.

E. Estimate of Traffic Impact of the Proposed Use.

No change to landfill operations is proposed, so there will be no change in related trip generation. As prepared by Wells + Associates, Inc., trip generation estimates associated with the proposed SEA-2 use are based on the 2011 load counts taken at the landfill truck scales and are as follows:

	Acres	Annual Loads	Average Daily Loads	Average Daily Trips
Existing Use	250	112,698	394	788
Proposed Use (estimated)	250	112,698	394	788
Net New Loads and Trips		0	0	0

FCDOT determined on July 31, 2012 that no Chapter 870 (formerly 527) study is required because no material increase in trip generation is projected.

Estimated traffic impact of the three alternative recreation uses would be relatively minimal, and would not occur until after landfilling activity has ceased. The following is based on ITE Trip Generation estimates:

Outdoor Baseball Hitting Range (Phase 5 end and possibly continuing and/or expanding in Phase 6): 220 Average Daily Trips.

Golf Driving Range (Phase 6): 341 Average Daily Trips.

Private Club or Benefit Association (Phase 6): 42 Average Daily Trips.

None of the three uses produces any material peak hour trips. There is little expectation all three will exist simultaneously.

F. Vicinity or General Area to be Served.

This is a regional CDD landfill which serves the entirety of Fairfax County.

G. Description of Building Façade and Architecture.

There are no architectural treatment considerations relevant to this Application. Minor "structures" consist of construction trailers, with all but one to be demolished or removed during the course of development. One permanent operations trailer with an associated parking lot will be located in the northwest corner of the property and remain subsequent to Phase 5 closure. Other facilities are solar panels, leachate pump houses, gate houses and gates, portable scale houses, scales, and tire wash facilities which will be relocated on-site during phases as necessary when landfilling operations are adjusted over the five phases. These facility locations are identified by Phase on the SEA-2 Plat. Minimal structures as depicted on the SEA-2 Plat would be associated with the three proposed, alternative recreation uses described above.

H. Listing, If Known, of All Hazardous or Toxic Substances.

Hazardous and/or toxic substances currently stored and contained on-site, and which will continue to be stored and used on the Application Property, are limited to products which are used for the general operation of the landfill, its equipment and vehicles and for landscape maintenance. These include: diesel fuel; petroleum products (such as engine and hydraulic oil, engine and transmission lubricants); hydrochlorite for treating leachate; and pesticides for landscape maintenance (hand-sprayed). Methods for use and disposal shall adhere to County, State and/or Federal law.

I. Statement of Conformance with Applicable Ordinances, Regulations and Standards.

This Application shall comply with all applicable ordinances, regulations and standards, with the exception of requested waivers and modifications as outlined below and identified on the SEA-2 Plat. This Application shall comply with the "General Standards" for all Special Exceptions and with "Standards" for the Category 2 (Landfills and Electrical Generating Facilities), Category 3 (Quasi-Public Uses, Private Clubs and Public Benefit Associations) and

Category 5 (Outdoor Baseball Hitting Ranges and Golf Driving Ranges) Special Exception uses set forth in the Zoning Ordinance. A detailed compliance analysis of the various "General Standards" and "Additional Standards" has been prepared by the Applicant and filed with County Staff on October 7, 2013.

The Applicant seeks a waiver of the dustless surface requirement for on-site roads, including for the initial gravel access road during Phases 1-4 and the subsequent gravel access proposed to be provided in Phase 5 through the post-closure period and for the Phase 6 active recreation uses. The upper and lower berm access roads also are proposed to be gravel. This waiver, which was granted previously by the Board, is appropriate given the unusually large site, the nature of the uses being proposed in the various phases and the fact that private vehicle access is strictly limited and controlled for landfill and for the other uses being proposed.

A waiver of the Countywide Trails Plan requirement for an eight-foot (8') wide trail along the east side of Furnace Road also is being requested. This waiver is appropriate due to the nature of the use, the lack of room between the right-of-way and the landfill berm, because such improvement would not connect to any portion of an established trail system, and a trail exists on the west side of Furnace Road along the frontage of Parcels 12 and 13.

As described in detail on the SEA-2 Plat, the Applicant is requesting modification of the transitional screening requirement and waiver of the barrier requirements in favor of those shown on the SEA-2 Plat in accordance with Article 13, Section 13-305, subparagraphs -3, -5, -7, -11, -12 and -14, of the Zoning Ordinance. A minimum fifty foot-wide treed buffer shall be provided along the entire northern property boundary and consist of a combination of existing, mature trees and supplemental plantings which shall be installed and maintained by the Applicant in accordance with that shown on SEA-2 Plat Sheet 21. Minimal grading shall be permitted within this buffer area, as determined by UFMD, as necessary for installation of the below trail and/or other improvements. Adjacent to this buffer area, a natural trail and any off-site trail connection, exercise stations along the trail, a multi-purpose open space area, a dog park, and picnic tables shall be provided at the sole option of and to the extent determined by the Lorton Valley HOA. At the sole option of the Lorton Valley HOA, the recreation uses shown may be eliminated or adjusted, provided that they do not encroach into the fifty foot wide buffer area. Lorton Valley HOA also may opt to accept the land without any improvements. In any event, this approximately 5.2-acre recreation area shall be subject to a conservation easement preventing removal of trees, except those that are dead or dying, as determined by UFMD.

Finally, as granted by the Board of Supervisors on January 8, 2007 in the previous SEA-1 approval, a waiver of Paragraph 9 of Section 9-205 of the Zoning Ordinance is requested to permit improvements as depicted on the SEA-2 Plat which are proposed after termination of

landfill operations and prior to DEQ release. These improvements would include all those shown on the SEA-2 Plat, such as the trailer, and green energy uses. A summary chart of requested waivers and modifications is included in this Application.

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Attorney for Applicant

